

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
[37 CFR 1.27(b) and 1.27(d)] -- NONPROFIT ORGANIZATION

Applicant or Patentee: R.W.A.M. Kuijpers et al.

Docket No. \_\_\_\_\_

Serial or Patent No.: 09/258,240

Filed or Issued: 26 February 1999

For: Treatment of ocular disorders

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Erasmus Universiteit Rotterdam

ADDRESS OF ORGANIZATION: Dr. Molewaterplein 50, 3015 GE Rotterdam, the Netherlands

TYPE OF ORGANIZATION

☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE [26 USC 501(a) and 501(c) (3)]

☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OR THE UNITED STATES OF AMERICA

(NAME OF STATE \_\_\_\_\_)

(CITATION OF STATUTE \_\_\_\_\_)

☒ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE [26 USC 501(a) and 501(c) (3)] IF LOCATED IN THE UNITED STATES OF AMERICA

☒ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA

(NAME OF STATE \_\_\_\_\_)

(CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code with regard to the invention entitled Treatment of ocular disorders

by inventor(s) R.W.A.M. Kuijpers, P.M. van Hagen & G.S. Baarsma

described in

☐ the specification filed herewith

☒ application serial no. 09/258,240, filed 26 February 1999

☐ Patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Dr. H.J. van der Molen

TITLE IN ORGANIZATION Chairman of the Executive Board

ADDRESS OF PERSON SIGNING Erasmus University Rotterdam, Industrial Liaison Office, Room EB-03, P.O. Box 1738, 3000 DR Rotterdam, Netherlands

SIGNATURE H.J. van der Molen

DATE 26/4 March 1999

# Assignment

p488664500

In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned,

Robertus Wilhelmus Alo-	Petrus Martinus	Goitzen Seerp Baarsma
ysius Maria Kuijpers	van Hagen	Plaswijcklaan 37
Heemraadssingel 311	Goosse van de	3054 CM Rotterdam
3023 BG Rotterdam	Windstraat 14	(Hillegersberg)
The Netherlands	3062 XM Rotterdam	The Netherlands
Nationality:	The Netherlands	Nationality:
Netherlands	Netherlands	Netherlands

Hereby sell, assign and transfer to Erasmus Universiteit Rotterdam,  
Dr. Molewaterplein 50, 3015 GE Rotterdam, The Netherlands

~~corporation~~ a public entity of The Netherlands  
having a place of business at Dr. Molewaterplein 50, 3015 GE Rotterdam, NL.,  
its successors, assigns and legal representatives, the entire right, title and interest for the United States and all  
foreign countries, in and to any and all improvements which are disclosed in the application for United States  
Letters Patent, which has been executed by the undersigned concurrently herewith  
and is entitled TREATMENT OF OCULAR DISORDERS

, and in and to said application and all divisional, continuing,  
substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the  
United States and all foreign countries on any of said improvements; and in and to all original and reissued  
patents which have been or shall be issued in the United States and all foreign countries on said improvements;

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name;  
and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal  
representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute  
all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said  
improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said  
Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said  
improvements and the history thereof; and generally do everything possible which said Assignee, its successors,  
assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection  
for said improvements and for vesting title to said improvements and all applications for patents and all patents on  
said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant,  
mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others  
by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date March 29 1999

Date .....

Date March 25 1999

Date .....

Date 21-5-99

Date .....

Date .....

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

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**COMBINED DECLARATION AND POWER OF ATTORNEY**

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(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,  
DIVISIONAL, CONTINUATION OR CIP)

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one)

☒ Original  
☐ Supplemental  
☐ Design

☐ National Stage PCT  
☐ Divisional  
☐ Continuation  
☐ Continuation-in-Part (CIP)

**INVENTORSHIP IDENTIFICATION**

**NOTE:** If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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**TREATMENT OF OCULAR DISORDERS**

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the specification of which: (complete (a), (b) or (c))

(a) ☐ is attached hereto.

(b) ☒ was filed on February 26, 1999 as  
☒ Serial No. 09/258,240 or  
☐ Express Mail No. \_\_\_\_\_ as Serial No. not yet known  
and was amended on \_\_\_\_\_ (if applicable)

(c) ☐ was described and claimed in PCT International Application No. PCT/  
filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any)

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above, and that the filing of said specification, if heretofore filed, was authorized by me.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

**CLAIM OF PRIORITY OF EARLIER FOREIGN APPLICATION(S) UNDER 35 U.S.C. §119(a)-(d)**

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

(List prior foreign/PCT application(s) filed within 12 months (6 months for design) prior to this U.S. application.)

**NOTE:** Where item (c) is entered above and the international Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

COUNTRY (or PCT)	APPLICATION NO.	DATE OF FILING (Day/Month/Year)	PRIORITY CLAIMED UNDER 35 USC §119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. §119(e)**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

(List prior U.S. provisional applications.)

PROVISIONAL APPLICATION NO.	FILING DATE (Day/Month/Year)

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

(List prior U.S. applications or PCT international applications designating the U.S. for benefit under 35 U.S.C. §120.)

## U.S. APPLICATIONS

U.S. SERIAL NO.	U.S. FILING DATE (Day/Month/Year)	STATUS (Check One)		
		Patented	Pending	Abandoned
01		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## PCT APPLICATIONS DESIGNATING THE U.S.

PCT APPLN. NO.	PCT FILING DATE (Day/Month/Year)	U.S. SERIAL NOS. ASSIGNED (If any)	STATUS (Check One)		
			Patented	Pending	Abandoned
PCT/			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCT/			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 35 USC 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS

PRIORITY APPLICATION NO.	PRIORITY COUNTRY	FILING DATE (Day/Month/Year)	ISSUE DATE (Day/Month/Year)

## POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith:

Charles R. Hoffmann, Reg. No. 24,102; Ronald J. Baron, Reg. No. 29,281; Gerald T. Bodner, Reg. No. 30,449; Alan M. Sack, Reg. No. 31,874; A. Thomas Kammer, Reg. No. 28,226; Arlene D. Morris, Reg. No. 32,657; R. Glenn Schroeder, Reg. No. 34,720; Glenn T. Henneberger, Reg. No. 36,074; Irving N. Feit, Reg. No. 28,601; Jessica H. Tran, Reg. No. 40,848; Anthony E. Bennett, Reg. No. 40,910; Gregory W. Bachmann, Reg. No. 41,593; Steven T. Zuschlag, Reg. No. 43,309; Wayne L. Ellenbogen, Reg. No. 43,602; Susan A. Sipos, Reg. No. 43,128; William D. Schmidt, Reg. No. 39,492; Kevin E. McDermott, Reg. No. 35,948; Robert C. Morris, Reg. No. 42,910; Roderick S.W. Turner, Reg. No. 38,639, each of them of HOFFMANN & BARON, LLP, 6900 Jericho Turnpike, Syosset, New York 11791; and Daniel A. Scola, Jr., Reg. No. 29,855; Salvatore J. Abbruzzese, Reg. No. 30,152; Kirk M. Miles, Reg. No. 37,891; Robert F. Chisholm, Reg. No. 39,939; Kelyanne Merkel, each of them of HOFFMANN & BARON, LLP, 1055 Parsippany Boulevard, Parsippany, New Jersey 07054

## PLEASE SEND CORRESPONDENCE TO:

Ronald J. Baron, Esq.  
HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, NY 11791

## PLEASE DIRECT TELEPHONE CALLS TO:

[Ronald J. Baron]  
(516) 822-3550

## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

Full Name of Sole or First Inventor Robertus Wilhelmus Aloysius Maria Kullpers

Country of Citizenship:

Residence Address: Heemraadssingel 311, 3023 BG-ROTTERDAM, The Netherlands

Post Office Address: Same as Above

Date: 21/5/99 Inventor's signature

Full Name of Sole or Second Inventor Petrus Martinus van Hagen

Country of Citizenship:

Residence Address: Goosse van de Windstraat 14, 3062 XM ROTTERDAM, The Netherlands

Post Office Address: Same as Above

Date: 21-5-99 Inventor's signature

Full Name of Sole or Third Inventor Goitzen Seerp Baarsma

Country of Citizenship:

Residence Address: Plaswijcklaan 37, 3054 CM ROTTERDAM (Hillegersberg), The Netherlands

Post Office Address: Same as Above

Date: 21-5-99 Inventor's signature

NOTE: All above spaces identifying inventors must be completed or deleted before any inventor executes this application.